

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LIBERTAS TECHNOLOGIES,
L.L.C.,

Plaintiff

Case No. 1:10-cv-935

Clott, J.

Litkovitz, M.J.

vs

CHERRYHILL MANAGEMENT
INC., et al.,

Defendants

**REPORT AND
RECOMMENDATION**

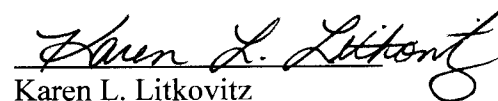
This matter is before the Court on defendants' Joint Motion for an Order Preliminarily Enjoining Plaintiff Libertas Technologies From Disclosing Any Cherryhill Software to Others.¹ (Doc. 53). Plaintiff Libertas Technologies, L.L.C. (Libertas) has not filed a response to the motion. Accordingly, defendants' motion should be granted as unopposed.

IT IS THEREFORE RECOMMENDED THAT:

The Court issue a preliminary injunction enjoining plaintiff Libertas from selling, sharing, or otherwise disclosing to any third party, with the exception of counsel who represent the parties in this litigation, the contents of any software in plaintiff's possession related to defendant Cherryhill Management, Inc., including, without limitation, the "Cherryhill Software" identified in the amended complaint (*see* Doc. 22, ¶ 6).

Date:

12/7/12


Karen L. Litkovitz
United States Magistrate Judge

¹Defendants state in the motion that a proposed order is attached thereto (Doc. 53 at 20), but there are no attachments to the motion.

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).